

Senate File 2272 - Enrolled

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SENATE FILE 2272

AN ACT

RELATING TO THE DUTIES AND OPERATIONS OF THE STATE BOARD OF EDUCATION, THE DEPARTMENT OF EDUCATION, THE BOARD OF EDUCATIONAL EXAMINERS, AND LOCAL SCHOOL BOARDS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

DIVISION I

PRACTITIONER, STUDENT, AND SCHOOL-RELATED MATTERS

Section 1. Section 235A.15, subsection 2, paragraph e, subparagraph (9), Code Supplement 2005, is amended to read as follows:

(9) To the board of educational examiners created under chapter 272 for purposes of determining whether a practitioner's license, certificate, or authorization should be issued, denied, or revoked.

Sec. 2. Section 235B.6, subsection 2, paragraph e, Code Supplement 2005, is amended by adding the following new subparagraph:

NEW SUBPARAGRAPH. (12) To the board of educational examiners created under chapter 272 for purposes of determining whether a license, certificate, or authorization should be issued, denied, or revoked.

Sec. 3. Section 256.7, subsection 21, paragraph c, Code Supplement 2005, is amended to read as follows:

c. A requirement that all school districts and accredited nonpublic schools annually report to the department and the local community the district-wide progress made in attaining student achievement goals on the academic and other core indicators and the district-wide progress made in attaining locally established student learning goals. The school districts and accredited nonpublic schools shall demonstrate the use of multiple assessment measures in determining student achievement levels. The school districts and accredited nonpublic schools shall also report the number of students who ~~enter ninth grade but do not graduate from the school or school district, utilizing the definition of graduation rate specified by the national governors association; the number of students who drop out of school; the number of students pursuing a high school equivalency diploma pursuant to chapter 259A; the number of students who were enrolled in the district within the past five years and who received a high school equivalency diploma; the percentage of students who receive a high school diploma and who were not proficient in reading, mathematics, and science in grade eleven; the number of students in the prior year who were enrolled as high school juniors who are within four units of meeting the district's graduation requirements;~~ the number of students who are tested and the percentage of students who are so tested annually; and the percentage of students who graduated during the prior school year and who completed a core curriculum. The board shall develop and adopt uniform definitions consistent with the federal No Child Left Behind Act of 2001, Pub. L. No. 107-110 and any federal regulations adopted pursuant to the federal Act. The school districts and accredited nonpublic schools may report on other locally determined factors influencing student achievement. The school districts and accredited nonpublic schools shall also report to the local community their results by individual attendance center.

Sec. 4. Section 256.7, subsection 26, Code Supplement 2005, is amended by striking the subsection and inserting in lieu thereof the following:

26. Set a goal of increasing to eighty percent the number of students graduating from all secondary schools in school districts in this state who have successfully completed the core curriculum recommended by the college testing service whose college entrance examination is taken by the majority of Iowa's high school students. The state goal shall be exclusive of students who have special or alternative means for satisfying graduation requirements under individualized educational plans developed for the students. The state board

3 4 shall require each school district to annually report,
3 5 beginning with the 2006=2007 school year, the percentage of
3 6 students graduating from high school in the school district
3 7 who complete the core curriculum. The school district shall
3 8 report, in the comprehensive school improvement plan submitted
3 9 in accordance with subsection 21, how the district plans to
3 10 increase the number of students completing the recommended
3 11 core curriculum. Taking into consideration the
3 12 recommendations of the college testing service whose college
3 13 entrance examination is taken by the majority of Iowa's high
3 14 school students, beginning with the students in the 2010=2011
3 15 school year graduating class, the requirements for high school
3 16 graduation for all students in school districts shall be four
3 17 years of English and language arts, three years of
3 18 mathematics, three years of science, and three years of social
3 19 studies.

3 20 Sec. 5. Section 256D.1, subsection 1, paragraph b,
3 21 subparagraph (1), Code 2005, is amended to read as follows:

3 22 (1) A school district shall at a minimum biannually inform
3 23 parents of their individual child's performance on the
3 24 diagnostic assessments in kindergarten through grade three.
3 25 If intervention is appropriate, the school district shall
3 26 inform the parents of the actions the school district intends
3 27 to take to improve the child's reading skills and provide the
3 28 parents with strategies to enable the parents to improve their
3 29 child's skills. If the diagnostic assessments administered in
3 30 accordance with this subsection indicate that a child is

3 31 reading below grade level, the school district shall submit a
3 32 report of the assessment results to the parent, which the
3 33 parent shall sign and return to the school district. If the
3 34 parent does not sign or return the report, the school district
3 35 shall note in the student's record the inaction on the part of
4 1 the parent. The board of directors of each school district
4 2 shall adopt a policy indicating the methods the school
4 3 district will use to inform parents of their individual
4 4 child's performance.

4 5 Sec. 6. Section 256D.9, Code Supplement 2005, is amended
4 6 to read as follows:

4 7 256D.9 FUTURE REPEAL.

4 8 This chapter is repealed effective July 1, ~~2006~~ 2007.

4 9 Sec. 7. Section 256F.3, subsection 6, Code 2005, is
4 10 amended to read as follows:

4 11 6. Upon approval of an application for the proposed
4 12 establishment of a charter school, the school board shall
4 13 submit an application for approval to establish the charter
4 14 school to the state board in accordance with section 256F.5.
4 15 The application shall set forth the manner in which the
4 16 charter school will provide special instruction, in accordance
4 17 with section 280.4, to students who are limited English
4 18 proficient. The application shall set forth the manner in
4 19 which the charter school will comply with federal and state
4 20 laws and regulations relating to the federal National School
4 21 Lunch Act and the federal Child Nutrition Act of 1966, 42
4 22 U.S.C. } 1751=1785, and chapter 283A. The state board shall
4 23 approve only those applications that meet the requirements
4 24 specified in section 256F.1, subsection 3, and sections 256F.4
4 25 and 256F.5. The state board may deny an application if the
4 26 state board deems that approval of the application is not in
4 27 the best interest of the affected students. The state board
4 28 shall approve not more than ~~ten~~ twenty charter school
4 29 applications. The state board shall approve not more than one
4 30 charter school application per school district. ~~However, if~~
4 31 ~~the state board receives ten or fewer applications as of June~~
4 32 ~~30, 2003, and two or more of the applications received by the~~
4 33 ~~state board by that date are submitted by one school district,~~
4 34 ~~the state board may approve any or all of the applications~~
4 35 ~~submitted by the school district.~~ The state board shall adopt

5 1 rules in accordance with chapter 17A for the implementation of
5 2 this chapter.

5 3 Sec. 8. Section 260C.14, Code 2005, is amended by adding
5 4 the following new subsection:

5 5 NEW SUBSECTION. 21. Request that a student pursuing or
5 6 receiving a high school equivalency diploma provide to the
5 7 community college the student's school district of residence
5 8 and the last year the student was enrolled in the school
5 9 district of residence. The community college shall annually
5 10 report the information available to the community college
5 11 pursuant to this subsection to the school district of
5 12 residence.

5 13 Sec. 9. Section 272.2, Code 2005, is amended by adding the
5 14 following new subsection:

5 15 NEW SUBSECTION. 17. Adopt rules to require that a
5 16 background investigation be conducted by the division of
5 17 criminal investigation of the department of public safety on
5 18 all initial applicants for licensure. The board shall also
5 19 require all initial applicants to submit a completed
5 20 fingerprint packet and shall use the packet to facilitate a
5 21 national criminal history background check. The board shall
5 22 have access to, and shall review the sex offender registry
5 23 information under section 692A.13, the central registry for
5 24 child abuse information established under chapter 235A, and
5 25 the dependent adult abuse records maintained under chapter
5 26 235B for information regarding applicants for license renewal.
5 27 Sec. 10. Section 272.3, unnumbered paragraph 1, Code 2005,
5 28 is amended to read as follows:

5 29 The board of educational examiners consists of eleven
5 30 members. Two must be members of the general public and the
5 31 remaining nine must be licensed practitioners. One of the
5 32 public members shall also be the director of the department of
~~5 33 education, or the director's designee have served on a school~~
~~5 34 board. The other public member members shall be a person who~~
~~5 35 does not hold never have held a practitioner's license, but~~
6 1 has shall have a demonstrated interest in education. One of
6 2 the licensed practitioners shall be the director of the
6 3 department of education or the director's designee. The nine
6 4 remaining eight practitioners shall be selected from the
6 5 following areas and specialties of the teaching profession:

6 6 Sec. 11. Section 272.3, unnumbered paragraph 2, Code 2005,
6 7 is amended to read as follows:

6 8 A majority of the licensed practitioner members shall be
6 9 nonadministrative practitioners. Four of the members shall be
6 10 administrators. Membership of the board shall comply with the
6 11 requirements of sections 69.16 and 69.16A. A quorum of the
6 12 board shall consist of six members. ~~The director of the~~
~~6 13 department of education~~ Members shall serve as the elect a
6 14 chairperson of the board. Members, except for the director of
6 15 the department of education, shall be appointed by the
6 16 governor ~~and the appointments are~~ subject to confirmation by
6 17 the senate.

6 18 Sec. 12. Section 272.29, Code Supplement 2005, is amended
6 19 to read as follows:

6 20 272.29 ANNUAL ADMINISTRATIVE RULES REVIEW.

6 21 The executive director shall annually review the
6 22 administrative rules adopted pursuant to this chapter and
6 23 related state laws. The executive director shall ~~annually~~
6 24 submit the executive director's findings and recommendations
6 25 in a report every three years to the board and the
6 26 chairpersons and ranking members of the senate and house
6 27 standing committees on education and the joint appropriations
6 28 subcommittee on education by January 15.

6 29 Sec. 13. Section 279.61, Code Supplement 2005, is amended
6 30 to read as follows:

6 31 279.61 STUDENT PLAN FOR PROGRESS TOWARD UNIVERSITY
6 32 ADMISSIONS == REPORT.

6 33 1. For the school year beginning July 1, 2006, and each
6 34 succeeding school year, the board of directors of each school
6 35 district shall cooperate with each student enrolled in grade
7 1 eight to develop for the student a core curriculum plan to
7 2 guide the student toward the goal of successfully completing,
7 3 at a minimum, the model core curriculum developed by the state
7 4 board of education pursuant to section 256.7, subsection 26,
7 5 by the time the student graduates from high school. The plan
~~7 6 shall include career options and shall identify the coursework~~
~~7 7 needed in grades nine through twelve to support the student's~~
~~7 8 postsecondary education and career options. If the pupil is~~
~~7 9 under eighteen years of age, the pupil's parent or guardian~~
~~7 10 shall sign the core curriculum plan developed with the student~~
~~7 11 and the signed plan shall be included in the student's~~
~~7 12 records.~~

7 13 2. For the school year beginning July 1, 2006, and each
7 14 succeeding school year, the board of directors of each school
7 15 district shall report annually to each student enrolled in
7 16 grades nine through twelve in the school district, and, if the
~~7 17 student is under the age of eighteen,~~ to each student's parent
7 18 or guardian, the student's progress toward meeting the goal of
7 19 successfully completing the model core curriculum developed by
7 20 the state board of education pursuant to section 256.7,
7 21 subsection 26.

7 22 Sec. 14. NEW SECTION. 279.63 FINANCIAL REPORT.

7 23 1. The board of directors of each public school district
7 24 shall develop, maintain, and distribute a financial report on
7 25 an annual basis. The objective of the financial report shall

7 26 be to facilitate public access to a variety of information and
7 27 statistics relating to the education funding received by the
7 28 school district, enrollment and employment figures, and
7 29 additional information.

7 30 2. The financial report shall contain, at a minimum,
7 31 information relating to the following:

7 32 a. All property tax levies, income surtaxes, and local
7 33 option sales taxes in place in the school district, listed by
7 34 type of levy, rate, amount, duration, and notification of the
7 35 maximum rate and amount limitations permitted by statute.

8 1 b. The amount of funding received on a per pupil basis
8 2 through the operation of the school finance formula, and from
8 3 any other state appropriation or state funding source.

8 4 c. Federal funding received per student or teacher
8 5 population targeted to receive the funds, and any other
8 6 federal grants or funding received by the district.

8 7 d. Teacher and administrator minimum, maximum, and average
8 8 salary paid by the district, and the percentage and dollar
8 9 increase under teacher and administrator salary and benefits
8 10 settlement agreements.

8 11 e. Teacher and administrator health insurance and other
8 12 alternative health benefit information, including the monthly
8 13 premium, the percentage of the premium paid by the district,
8 14 and the percentage of the premium paid by a teacher or
8 15 administrator for single and family insurance.

8 16 f. Teacher and administrator employment statistics,
8 17 including the annual number of licensed full-time and
8 18 part-time teachers and administrators employed by the school
8 19 district during the preceding five years, and including the
8 20 number of teachers and administrators no longer employed by
8 21 the district, and new hires.

8 22 g. Student enrollment levels during the preceding five
8 23 years, including regular enrollment, special education
8 24 enrollment, and enrollment adjustments made pursuant to
8 25 supplementary weighting.

8 26 h. Such additional information as the school district may
8 27 determine.

8 28 3. Copies of a school district's financial report for the
8 29 previous school year shall be posted on an internet website
8 30 maintained by the school district at the beginning of the
8 31 school year. If the school district does not maintain or
8 32 develop a website, the school district shall either distribute
8 33 or post written copies of the financial report at specified
8 34 locations throughout the school district.

8 35 Sec. 15. NEW SECTION. 298.6 PUBLIC DISCLOSURE OF
9 1 OUTSTANDING LEVIES.

9 2 The board of directors of a school district shall, prior to
9 3 certifying any levy by board approval, or submitting a levy
9 4 for voter approval, facilitate public access to a complete
9 5 listing of all outstanding levies within the school district
9 6 by rate, amount, duration, and the applicable maximum levy
9 7 limitations. The information relating to outstanding levies
9 8 shall be posted on an internet website maintained by the
9 9 school district at the beginning of the school year, and
9 10 updated prior to board approval or submission for voter
9 11 approval of any levy during the school year. If the school
9 12 district does not maintain or develop a website, the school
9 13 district shall either distribute or post written copies of the
9 14 listing at specified locations throughout the school district.

9 15 Sec. 16. TRANSITIONAL PROVISION == MEMBERS' TERMS ON THE
9 16 BOARD OF EDUCATIONAL EXAMINERS. The two public members
9 17 serving on the board of educational examiners on the effective
9 18 date of this Act shall continue to serve as public members of
9 19 the board until April 30, 2007. On May 1, 2007, the director
9 20 of the department of education shall commence service on the
9 21 board as a licensed practitioner.

9 22 Sec. 17. EFFECTIVE DATE. The section of this division of
9 23 this Act amending section 256F.3, subsection 6, being deemed
9 24 of immediate importance, takes effect upon enactment.

9 25 DIVISION II

9 26 EDUCATION ADMINISTRATION

9 27 Sec. 18. Section 256.9, subsection 40, Code Supplement
9 28 2005, is amended by striking the subsection.

9 29 Sec. 19. Section 256.12, subsection 2, unnumbered
9 30 paragraph 1, Code 2005, is amended to read as follows:

9 31 This section does not deprive the respective boards of
9 32 public school districts of any of their legal powers,
9 33 statutory or otherwise, and in accepting the specially
9 34 enrolled students, each of the boards shall prescribe the
9 35 terms of the special enrollment, including but not limited to
10 1 scheduling of courses and the length of class periods. In

10 2 addition, the board of the affected public school district
10 3 shall be given notice by the department of its decision to
10 4 permit the special enrollment not later than six months prior
10 5 to the opening of the affected public school district's school
10 6 year, except that the board of the public school district may
10 7 waive the notice requirement. School districts and area
10 8 education agency boards shall make public school services,
10 9 which shall include special education programs and services
10 10 and may include health services, services for remedial
10 11 education programs, guidance services, and school testing
10 12 services, available to children attending nonpublic schools in
10 13 the same manner and to the same extent that they are provided
10 14 to public school students. ~~However, services that are made~~
~~10 15 available shall be provided on neutral sites, or in mobile~~
~~10 16 units located off the nonpublic school premises as determined~~
~~10 17 by the boards of the school districts and area education~~
~~10 18 agencies providing the services, and not on nonpublic school~~
~~10 19 property, except for health services, services funded by Title~~
~~10 20 I of the federal Elementary and Secondary Education Act of~~
~~10 21 1965, diagnostic services for speech, hearing, and~~
~~10 22 psychological purposes, and assistance with physical and~~
~~10 23 communication needs of students with physical disabilities,~~
~~10 24 and services of an educational interpreter, which may be~~
~~10 25 provided on nonpublic school premises, with the permission of~~
~~10 26 the lawful custodian. Service activities shall be similar to~~
~~10 27 those undertaken for public school students. Health services,~~
~~10 28 special education support, and related services provided by~~
~~10 29 area education agencies for the purpose of identifying~~
~~10 30 children with disabilities, assistance with physical and~~
~~10 31 communications needs of students with physical disabilities,~~
~~10 32 and services of an educational interpreter may be provided on~~
~~10 33 nonpublic school premises with the permission of the lawful~~
~~10 34 custodian of the property. Other special education services~~
~~10 35 may be provided on nonpublic school premises at the discretion~~
~~11 1 of the school district or area education agency provider of~~
~~11 2 the service and with the permission of the lawful custodian of~~
~~11 3 the property.~~

11 4 Sec. 20. Section 256.46, Code Supplement 2005, is amended
11 5 to read as follows:

11 6 256.46 RULES FOR PARTICIPATION IN EXTRACURRICULAR
11 7 ACTIVITIES BY CERTAIN CHILDREN.

11 8 The state board shall adopt rules that permit a child who
11 9 does not meet the residence requirements for participation in
11 10 extracurricular interscholastic contests or competitions
11 11 sponsored or administered by an organization as defined in
11 12 section 280.13 to participate in the contests or competitions
11 13 immediately if the child is duly enrolled in a school, is
11 14 otherwise eligible to participate, and meets one of the
11 15 following circumstances or a similar circumstance: the child
11 16 has been adopted; the child is placed under foster or shelter
11 17 care; the child is living with one of the child's parents as a
11 18 result of divorce, separation, death, or other change in the
11 19 child's parents' marital relationship, or pursuant to other
11 20 court-ordered decree or order of custody; the child is a
11 21 foreign exchange student, unless undue influence was exerted
~~11 22 to place the child for primarily athletic purposes;~~ the child
11 23 has been placed in a juvenile correctional facility; the child
11 24 is a ward of the court or the state; the child is a
11 25 participant in a substance abuse or mental health program; or
11 26 the child is enrolled in an accredited nonpublic high school
11 27 because the child's district of residence has entered into a
11 28 whole grade sharing agreement for the pupil's grade with
11 29 another district. The rules shall permit a child who is
11 30 otherwise eligible to participate, but who does not meet one
11 31 of the foregoing or similar circumstances relating to
11 32 residence requirements, to participate at any level of
11 33 competition ~~inferior to other than~~ the varsity level. For
11 34 purposes of this section and section 282.18, "varsity" means
11 35 the highest level of competition offered by one school or
12 1 school district against the highest level of competition
12 2 offered by an opposing school or school district.

12 3 Sec. 21. Section 256.51, subsection 1, paragraph d, Code
12 4 2005, is amended by striking the paragraph.

12 5 Sec. 22. Section 257.6, subsection 1, unnumbered paragraph
12 6 1, Code 2005, is amended to read as follows:

~~12 7 Actual enrollment is determined annually on the third~~
~~12 8 Friday of September in each year October 1, or the first~~
~~12 9 Monday in October if October 1 falls on a Saturday or Sunday.~~

12 10 and includes all of the following:

12 11 Sec. 23. Section 257.6, subsection 1, unnumbered paragraph
12 12 3, Code 2005, is amended to read as follows:

12 13 A school district shall certify its actual enrollment to
12 14 the department of education by October ~~±~~ 15 of each year, and
12 15 the department shall promptly forward the information to the
12 16 department of management.

12 17 Sec. 24. Section 257.10, subsection 5, Code 2005, is
12 18 amended to read as follows:

12 19 5. COMBINED DISTRICT COST PER PUPIL. The combined
12 20 district cost per pupil for a school district is the sum of
12 21 the regular program district cost per pupil and the special
12 22 education support services district cost per pupil. Combined
12 23 district cost per pupil does not include ~~additional~~ modified
12 24 allowable growth added for school districts that have a
12 25 negative balance of funds raised for special education
12 26 instruction programs, ~~additional~~ modified allowable growth
12 27 granted by the school budget review committee for a single
12 28 school year, or ~~additional~~ modified allowable growth added for
12 29 programs for dropout prevention.

12 30 Sec. 25. Section 257.31, subsection 14, paragraph b,
12 31 unnumbered paragraph 3, Code 2005, is amended to read as
12 32 follows:

12 33 A school district is only eligible to receive supplemental
12 34 aid payments during the budget year if the school district
12 35 certifies to the school budget review committee that for the
13 1 year following the budget year it will notify the school
13 2 budget review committee to instruct the director of the
13 3 department of management to increase the district's allowable
13 4 growth and will fund the allowable growth increase either by
13 5 using moneys from its unexpended cash balance to reduce the
13 6 district's property tax levy or by using cash reserve moneys
13 7 to equal the amount of the deficit that would have been
13 8 property taxes and any part of the state aid portion of the
13 9 deficit not received as supplemental aid under this
13 10 subsection. The director of the department of management
13 11 shall make the necessary adjustments to the school district's
13 12 budget to provide the ~~additional~~ modified allowable growth and
13 13 shall make the supplemental aid payments.

13 14 Sec. 26. Section 257.37, subsection 4, Code 2005, is
13 15 amended to read as follows:

13 16 4. "Enrollment served" means the basic enrollment plus the
13 17 number of nonpublic school pupils served with media services
13 18 or educational services, as applicable, except that if a
13 19 nonpublic school pupil or a pupil attending another district
13 20 under a whole-grade sharing agreement or open enrollment
13 21 receives services through an area other than the area of the
13 22 pupil's residence, the pupil shall be deemed to be served by
13 23 the area of the pupil's residence, which shall by contractual
13 24 arrangement reimburse the area through which the pupil
13 25 actually receives services. Each school district shall
13 26 include in the ~~third Friday in September~~ enrollment report
13 27 submitted pursuant to section 257.6, subsection 1, the number
13 28 of nonpublic school pupils within each school district for
13 29 media and educational services served by the area.

13 30 Sec. 27. Section 257.38, unnumbered paragraphs 1 and 2,
13 31 Code 2005, are amended to read as follows:

13 32 Boards of school districts, individually or jointly with
13 33 boards of other school districts, requesting to use ~~additional~~
13 34 modified allowable growth for programs for returning dropouts
13 35 and dropout prevention, shall ~~annually~~ submit comprehensive
14 1 program plans for the programs and budget costs, including
14 2 annual requests for additional modified allowable growth for
14 3 funding the programs, to the department of education as
14 4 ~~provided in this chapter a component of the comprehensive~~
14 5 school improvement plan submitted to the department pursuant
14 6 to section 256.7, subsection 21. The program plans shall

14 7 include:

14 8 Program plans shall identify the parts of the plan that
14 9 will be implemented first upon approval of the ~~application~~
14 10 request. If a district is requesting to use ~~additional~~
14 11 modified allowable growth to finance the program, ~~it the~~
14 12 school district shall not identify more than five percent of
14 13 its budget enrollment for the budget year as returning
14 14 dropouts and potential dropouts.

14 15 Sec. 28. Section 257.40, Code 2005, is amended to read as
14 16 follows:

14 17 257.40 PLANS FOR RETURNING DROPOUTS AND DROPOUT
14 18 PREVENTION.

14 19 1. The board of directors of a school district requesting
14 20 to use ~~additional~~ modified allowable growth for programs for
14 21 returning dropouts and dropout prevention shall submit
14 22 applications for approval for the programs requests for
14 23 modified at-risk allowable growth, including budget cost, to

14 24 the department not later than ~~November 1~~ December 15 of the
14 25 year preceding the budget year during which the program will
14 26 be offered. The department shall review the ~~program plans~~
14 27 request and shall prior to January 15 either grant approval
14 28 for the program request or return the request for approval
14 29 with comments of the department included. An unapproved
14 30 request for a program may be resubmitted with modifications to
14 31 the department not later than February 1. Not later than
14 32 February 15, the department shall notify the department of
14 33 management and the school budget review committee of the names
14 34 of the school districts for which programs using ~~additional~~
14 35 modified allowable growth for funding have been approved and
15 1 the approved budget of each program listed separately for each
15 2 school district having an approved program request.

15 3 2. Beginning January 15, 2007, the department shall submit
15 4 an annual report to the chairpersons and ranking members of
15 5 the senate and house education committees that includes the
15 6 ways school districts in the previous school year used
15 7 modified allowable growth approved under subsection 1;
15 8 identifies, by grade level, age, and district size, the
15 9 students in the dropout and dropout prevention programs for
15 10 which the department approves a request; describes school
15 11 district progress toward increasing student achievement and
15 12 attendance for the students in the programs; and describes how
15 13 the school districts are using the revenues from the modified
15 14 allowable growth to improve student achievement among minority
15 15 subgroups.

15 16 Sec. 29. Section 259A.1, Code 2005, is amended to read as
15 17 follows:

15 18 259A.1 TESTS.

15 19 The department of education shall cause to be made
15 20 available for qualified individuals a high school equivalency
15 21 diploma. The diploma shall be issued on the basis of
15 22 satisfactory competence as shown by tests covering all of the
15 23 following: ~~The correctness and effectiveness of expression;~~
15 24 ~~the interpretation of reading materials in the, arts, language~~
15 25 ~~arts, writing, mathematics, science, and social studies;~~
15 26 ~~interpretation of reading material in the natural sciences;~~
15 27 ~~interpretation of literary materials; and general mathematical~~
15 28 ~~ability.~~

15 29 Sec. 30. Section 260C.14, subsection 2, Code 2005, is
15 30 amended to read as follows:

15 31 2. Have authority to determine tuition rates for
15 32 instruction. Tuition for residents of Iowa shall not exceed
15 33 the lowest tuition rate per semester, or the equivalent,
15 34 charged by an institution of higher education under the state
15 35 board of regents for a full-time resident student. However,
16 1 except for students enrolled under chapter 261C, if a local
16 2 school district pays tuition for a resident pupil of high
16 3 school age, the limitation on tuition for residents of Iowa
16 4 shall not apply, the amount of tuition shall be determined by
16 5 the board of directors of the community college with the
16 6 consent of the local school board, and the pupil shall not be
16 7 included in the full-time equivalent enrollment of the
16 8 community college for the purpose of computing general aid to
16 9 the community college. Tuition for nonresidents of Iowa shall
16 10 not be less than the marginal cost of instruction of a student
16 11 attending the college. A lower tuition for nonresidents may
16 12 be permitted under a reciprocal tuition agreement between a
16 13 merged area and an educational institution in another state,
16 14 if the agreement is approved by the state board director. The
16 15 board may designate that a portion of the tuition moneys
16 16 collected from students be used for student aid purposes.

16 17 Sec. 31. Section 260C.28, subsection 2, Code 2005, is
16 18 amended to read as follows:

16 19 2. However, the board of directors may annually certify
16 20 for levy a tax on taxable property in the merged area at a
16 21 rate in excess of the three cents per thousand dollars of
16 22 assessed valuation specified under subsection 1 if the excess
16 23 tax levied does not cause the total rate certified to exceed a
16 24 rate of nine cents per thousand dollars of assessed valuation,
16 25 and the excess revenue generated is used for purposes of
16 26 program sharing between community colleges or for the purchase
16 27 of instructional equipment. Programs that are shared shall be
16 28 designed to increase student access to community college
16 29 programs and to achieve efficiencies in program delivery at
16 30 the community colleges, including, but not limited to, the
16 31 programs described under ~~sections 260C.45 and section~~ 260C.46.
16 32 Prior to expenditure of the excess revenues generated under
16 33 this subsection, the board of directors shall obtain the
16 34 approval of the director of the department of education.

16 35 Sec. 32. Section 261C.6, unnumbered paragraph 1, Code
17 1 2005, is amended to read as follows:
17 2 Not later than June 30 of each year, a school district
17 3 shall pay a tuition reimbursement amount to an eligible
17 4 postsecondary institution that has enrolled its resident
17 5 eligible pupils under this chapter, unless the eligible pupil
17 6 is participating in open enrollment under section 282.18, in
17 7 which case, the tuition reimbursement amount shall be paid by
17 8 the receiving district. However, if a child's residency
17 9 changes during a school year, the tuition shall be paid by the
17 10 district in which the child was enrolled as of the ~~third~~
~~17 11 Friday in September date specified in section 257.6,~~
~~17 12 subsection 1,~~ or the district in which the child was counted
17 13 under section 257.6, subsection 1, paragraph "f". For pupils
17 14 enrolled at the school for the deaf and the Iowa braille and
17 15 sight saving school, the state board of regents shall pay a
17 16 tuition reimbursement amount by June 30 of each year. The
17 17 amount of tuition reimbursement for each separate course shall
17 18 equal the lesser of:

17 19 Sec. 33. Section 273.22, subsections 6 and 7, Code 2005,
17 20 are amended to read as follows:
17 21 6. Within forty-five days of the state board's approval,
17 22 the board of directors of a school district that is contiguous
17 23 to a newly reorganized area education agency may petition the
17 24 board of directors of their current area education agency and
17 25 the newly reorganized area education agency to join the newly
17 26 reorganized area education agency. If the initial, or new
17 27 board if established in time under section 273.23, subsection
17 28 3, and the board of the contiguous area education agency
17 29 approve the petition, the reorganization, including any school
17 30 district whose petition to join the newly reorganized area
17 31 education agency has been approved, shall take effect in
17 32 accordance with the dates established under section 273.21,
17 33 subsection 4. Both the initial, or new, and the contiguous
17 34 area education agency boards must act within forty-five days
17 35 of the deadline, as set forth in this subsection, for the
18 1 filing of the school district's petition. ~~A Within ten days~~
~~18 2 of an area education agency board's action,~~ a school district

18 3 may appeal to the state board the decision of an area
18 4 education agency board to deny the school district's petition.

18 5 7. Within forty-five days of the state board's approval,
18 6 the board of directors of a school district that is within a
18 7 newly reorganized area education agency and whose school
18 8 district is contiguous to another area education agency not
18 9 included in the newly reorganized area education agency may
18 10 petition the board of directors of the newly reorganized area
18 11 education agency and the contiguous area education agency to
18 12 join that area education agency. If the initial, or new board
18 13 if established in time under section 273.23, subsection 3, and
18 14 the board of the contiguous area education agency approve the
18 15 petition, the reorganization, excluding any school district
18 16 whose petition to join an area education agency contiguous to
18 17 the newly reorganized area education agency has been approved,
18 18 shall take effect in accordance with the dates established
18 19 under section 273.21, subsection 4. Both the initial, or new,
18 20 and the contiguous area education agency boards must act
18 21 within forty-five days of the deadline, as set forth in this
18 22 subsection, for the filing of the school district's petition.
18 23 ~~A Within ten days of an area education agency board's action,~~
~~18 24 a school district may appeal to the state board the decision~~
18 25 of an area education agency board to deny the school
18 26 district's petition.

18 27 Sec. 34. Section 279.30, Code 2005, is amended to read as
18 28 follows:

18 29 279.30 EXCEPTIONS.

18 30 Each ~~warrant payment~~ must be made payable to the person
18 31 entitled to receive the money. The board of directors of a
18 32 school district or an area education agency may by resolution
18 33 authorize the secretary, upon approval of the superintendent
~~18 34 or designee,~~ or administrator, in the case of an area
18 35 education agency, to issue ~~warrants payments~~ when the board of
19 1 directors is not in session in payment of ~~freight, drayage,~~
~~19 2 express, postage, printing, water, light, and telephone rents~~
19 3 reasonable and necessary expenses, but only upon verified
19 4 bills filed with the secretary or administrator, and for the
19 5 payment of salaries pursuant to the terms of a written
19 6 contract, ~~and the secretary or administrator shall either~~
~~19 7 deliver in person or mail the warrants to the payees. In~~
~~19 8 addition, the board of directors may by resolution authorize~~
~~19 9 the secretary or administrator, upon approval of the president~~
~~19 10 of the board, to issue warrants when the board of directors is~~

~~19 11 not in session, but only upon verified bills filed with the~~
~~19 12 secretary or administrator, and the secretary or administrator~~
~~19 13 shall either deliver in person or mail the warrants to the~~
~~19 14 payees.~~ Each warrant payment must be made payable only to the
19 15 person performing the service or presenting the verified bill,
19 16 and must state the purpose for which the warrant payment is
19 17 issued. All bills and salaries for which warrants payments
19 18 are issued prior to audit and allowance by the board must be
19 19 passed upon by the board of directors at the next meeting and
19 20 be entered in the regular minutes of the secretary.

19 21 Sec. 35. Section 279.33, Code 2005, is amended to read as
19 22 follows:

19 23 279.33 ANNUAL SETTLEMENTS.

19 24 At a regular or special meeting held on or after August 31
19 25 and prior to the organizational meeting held after the regular
19 26 school election, the board of each school corporation shall
19 27 meet, examine the books of and settle with the secretary and
19 28 treasurer for the year ending on the preceding June 30, and
19 29 transact other business as necessary. The treasurer at the
19 30 time of settlement shall furnish the board with a ~~sworn~~
19 31 statement from each depository showing the balance then on
19 32 deposit in the depository. If the secretary or treasurer
19 33 fails to make proper reports for the settlement, the board
19 34 shall take action to obtain the balance information.

19 35 Sec. 36. Section 279.41, Code 2005, is amended to read as
20 1 follows:

20 2 279.41 SCHOOLHOUSES AND SITES SOLD == FUNDS.

20 3 Moneys received from the condemnation, sale, or other
20 4 disposition for public purposes of schoolhouses, school sites,
20 5 or both schoolhouses and school sites, shall be deposited in
20 6 the physical plant and equipment levy fund and may without a
20 7 vote of the electorate be used for ~~the purchase of school~~
~~20 8 sites or the erection or repair of schoolhouses, or both~~
20 9 purposes authorized under section 298.3, as ordered by the
20 10 board of directors of the school district.

20 11 Sec. 37. Section 279.60, Code Supplement 2005, is amended
20 12 to read as follows:

20 13 279.60 KINDERGARTEN ASSESSMENT == ACCESS TO DATA ==
20 14 REPORTS.

20 15 Each school district shall administer the dynamic
20 16 indicators of basic early literacy skills kindergarten
20 17 benchmark assessment or other kindergarten benchmark
20 18 assessment adopted by the department of education in
20 19 consultation with the Iowa empowerment board to every
20 20 kindergarten student enrolled in the district not later than
20 21 ~~October 1~~ the date specified in section 257.6, subsection 1.
20 22 The school district shall also collect information from each
20 23 parent, guardian, or legal custodian of a kindergarten student
20 24 enrolled in the district, including but not limited to whether
20 25 the student attended preschool, factors identified by the
20 26 early care staff pursuant to section 28.3, and other
20 27 demographic factors. Each school district shall report the
20 28 results of the assessment and the preschool information
20 29 collected to the department of education in the manner
20 30 prescribed by the department not later than January 1 of that
20 31 school year. The early care staff designated pursuant to
20 32 section 28.3 shall have access to the raw data. The
20 33 department shall review the information submitted pursuant to
20 34 this section and shall submit its findings and recommendations
20 35 annually in a report to the governor, the general assembly,
21 1 the Iowa empowerment board, and the community empowerment area
21 2 boards.

21 3 Sec. 38. Section 282.1, unnumbered paragraph 1, Code 2005,
21 4 is amended to read as follows:

21 5 Persons between five and twenty-one years of age are of
21 6 school age. ~~A board may establish and maintain evening~~
~~21 7 schools or an educational program under section 282.1A for~~
~~21 8 residents of the corporation regardless of age and for which~~
~~21 9 no tuition need be charged.~~ Nonresident children shall be
21 10 charged the maximum tuition rate as determined in section
21 11 282.24, subsection 1, with the exception that those residing
21 12 temporarily in a school corporation may attend school in the
21 13 corporation upon terms prescribed by the board, and boards
21 14 discontinuing grades under section 282.7, subsection 1 or
21 15 subsections 1 and 3, shall be charged tuition as provided in
21 16 section 282.24, subsection 2.

21 17 Sec. 39. Section 282.8, Code 2005, is amended to read as
21 18 follows:

21 19 282.8 ATTENDING SCHOOL OUTSIDE STATE.

21 20 The boards of directors of school districts located near
21 21 the state boundaries may designate schools of equivalent

21 22 standing across the state line for attendance of both
21 23 elementary and high school pupils when the public school in
21 24 the adjoining state is nearer than any appropriate public
21 25 school in a pupil's district of residence or in Iowa.
21 26 Distance shall be measured by the nearest traveled public
21 27 road. Arrangements shall be subject to reciprocal agreements
21 28 made between the chief state school officers of the respective
21 29 states. Notwithstanding section 282.1, arrangements between
21 30 districts pursuant to the reciprocal agreements made under
21 31 this section shall establish tuition and transportation fees
21 32 in an amount acceptable to the affected boards, but the
21 33 tuition and transportation fees shall not be less than the
21 34 lower average cost per pupil for the previous school year of
21 35 the two affected school districts. For the purpose of this
22 1 section average cost per pupil for the previous school year is
22 2 determined by dividing the district's operating expenditures
22 3 for the previous school year by the number of children
22 4 enrolled in the district in the previous school year on the
22 5 ~~third Friday of September of the previous school year date~~
22 6 specified in section 257.6, subsection 1. A person attending
22 7 school in another state shall continue to be treated as a
22 8 pupil of the district of residence in the apportionment of the
22 9 current school fund and the payment of state aid.
22 10 Sec. 40. Section 282.12, subsection 4, Code 2005, is
22 11 amended to read as follows:
22 12 4. The number of pupils participating in a whole grade
22 13 sharing agreement shall be determined on the ~~third Friday of~~
22 14 ~~September date specified in section 257.6, subsection 1,~~ and
22 15 on the third Friday of February of each year.
22 16 Sec. 41. Section 282.18, subsection 4, paragraph a, Code
22 17 Supplement 2005, is amended to read as follows:
22 18 a. After March 1 of the preceding school year and until
22 19 the ~~third Friday in September of that calendar year date~~
22 20 specified in section 257.6, subsection 1, the parent or
22 21 guardian shall send notification to the district of residence
22 22 and the receiving district, on forms prescribed by the
22 23 department of education, that good cause, as defined in
22 24 paragraph "b", exists for failure to meet the March 1
22 25 deadline. The board of directors of a receiving school
22 26 district may adopt a policy granting the superintendent of the
22 27 school district authority to approve open enrollment
22 28 applications submitted after the March 1 deadline. The board
22 29 of the receiving district shall take action to approve the
22 30 request if good cause exists. If the request is granted, the
22 31 board shall transmit a copy of the form to the parent or
22 32 guardian and the school district of residence within five days
22 33 after board action. A denial of a request by the board of a
22 34 receiving district is not subject to appeal.
22 35 Sec. 42. Section 282.18, subsection 4, paragraph c, Code
23 1 Supplement 2005, is amended by striking the paragraph and
23 2 inserting in lieu thereof the following:
23 3 c. If a resident district believes that a receiving
23 4 district is violating this subsection, the resident district
23 5 may, within fifteen days after board action by the receiving
23 6 district, submit an appeal to the director of the department
23 7 of education.
23 8 The director, or the director's designee, shall attempt to
23 9 mediate the dispute to reach approval by both boards as
23 10 provided in section 282.18, subsection 16. If approval is not
23 11 reached under mediation, the director or the director's
23 12 designee shall conduct a hearing and shall hear testimony from
23 13 both boards. Within ten days following the hearing, the
23 14 director shall render a decision upholding or reversing the
23 15 decision by the board of the receiving district. Within five
23 16 days of the director's decision, the board may appeal the
23 17 decision of the director to the state board of education under
23 18 the procedures set forth in chapter 290.
23 19 Sec. 43. Section 282.18, subsection 9, unnumbered
23 20 paragraph 2, Code Supplement 2005, is amended to read as
23 21 follows:
23 22 If a request to transfer is due to a change in family
23 23 residence, change in the state in which the family residence
23 24 is located, a change in a child's parents' marital status, a
23 25 guardianship proceeding, placement in foster care, adoption,
23 26 participation in a foreign exchange program, or participation
23 27 in a substance abuse or mental health treatment program, and
23 28 the child, who is the subject of the request, is enrolled in
23 29 any grade from kindergarten through grade twelve at the time
23 30 of the request and is not currently using any provision of
23 31 open enrollment, the parent or guardian of the child shall
23 32 have the option to have the child remain in the child's

23 33 original district of residence under open enrollment with no
23 34 interruption in the child's kindergarten through grade twelve
23 35 educational program. If a parent or guardian exercises this
24 1 option, the child's new district of residence is not required
24 2 to pay the amount calculated in subsection 7, until the start
24 3 of the first full year of enrollment of the child.

24 4 Sec. 44. Section 282.31, subsection 1, paragraph b,
24 5 unnumbered paragraph 2, Code 2005, is amended to read as
24 6 follows:

24 7 However, on June 30 of a school year, if the board of
24 8 directors of a school district determines that the number of
24 9 children under this paragraph who were counted in the basic
24 10 enrollment of the school district ~~on the third Friday of~~
~~24 11 September~~ of that school year in accordance with section
~~24 12 257.6, subsection 1,~~ is fewer than the sum of the number of
24 13 months all children were enrolled in the school district under
24 14 this paragraph during the school year divided by nine, the
24 15 secretary of the school district may submit a claim to the
24 16 department of education by August 1 following the school year
24 17 for an amount equal to the district cost per pupil of the
24 18 district for the previous school year multiplied by the
24 19 difference between the number of children counted and the
24 20 number of children calculated by the number of months of
24 21 enrollment. The amount of the claim shall be paid by the
24 22 department of administrative services to the school district
24 23 by October 1. The department of administrative services shall
24 24 transfer the total amount of the approved claim of a school
24 25 district from the moneys appropriated under section 257.16 and
24 26 the amount paid shall be deducted monthly from the state
24 27 foundation aid paid to all school districts in the state
24 28 during the remainder of the subsequent fiscal year in the
24 29 manner provided in paragraph "a".

24 30 Sec. 45. Section 285.11, subsection 9, Code 2005, is
24 31 amended by striking the subsection.

24 32 Sec. 46. Section 294A.5, subsection 2, paragraph a, Code
24 33 2005, is amended to read as follows:

24 34 a. For the school year beginning July 1, 1998, for phase
24 35 I, each school district and area education agency shall
25 1 certify to the department of education by the ~~third Friday in~~
~~25 2 September date specified in section 257.6, subsection 1,~~ the
25 3 names of all teachers employed by the district or area
25 4 education agency whose regular compensation is less than
25 5 twenty=three thousand dollars per year for that year and the
25 6 amounts needed as minimum salary supplements. The minimum
25 7 salary supplement for each eligible teacher is the total of
25 8 the difference between twenty=three thousand dollars and the
25 9 teacher's regular compensation plus the amount required to pay
25 10 the employer's share of the federal social security and Iowa
25 11 public employees' retirement system, or a pension and annuity
25 12 retirement system established under chapter 294, payments on
25 13 the additional salary moneys. ~~However, for purposes of this~~
~~25 14 paragraph, a teacher's regular compensation for the school~~
~~25 15 year beginning July 1, 1998, shall not be lower than eighteen~~
~~25 16 thousand dollars.~~

25 17 Sec. 47. Section 297.14, Code 2005, is amended to read as
25 18 follows:

25 19 297.14 BARBED WIRE.

25 20 No fence ~~provided for in section 297.13~~ shall be
25 21 constructed of barbed wire, nor shall any barbed wire fence be
25 22 placed within ten feet of any school grounds attendance
~~25 23 centers~~. Any person violating the provisions of this section
25 24 shall be guilty of a simple misdemeanor.

25 25 Sec. 48. NEW SECTION. 299A.11 STUDENT RECORDS
25 26 CONFIDENTIAL.

25 27 Notwithstanding any provision of law or rule to the
25 28 contrary, personal information in records regarding a child
25 29 receiving competent private instruction pursuant to this
25 30 chapter, which are maintained, created, collected, or
25 31 assembled by or for a state agency, shall be kept confidential
25 32 in the same manner as personal information in student records
25 33 maintained, created, collected, or assembled by or for a
25 34 school corporation or educational institution in accordance
25 35 with section 22.7, subsection 1.

26 1 Sec. 49. Section 301.1, subsection 2, Code Supplement
26 2 2005, is amended to read as follows:

26 3 2. Textbooks adopted and purchased by a school district
26 4 shall, to the extent funds are appropriated by the general
26 5 assembly, be made available to pupils attending accredited
26 6 nonpublic schools upon request of the pupil or the pupil's
26 7 parent under comparable terms as made available to pupils
26 8 attending public schools. If the general assembly

26 9 appropriates moneys for purposes of making textbooks available
26 10 to accredited nonpublic school pupils, the department of
26 11 education shall ascertain the amount available to a school
26 12 district for the purchase of nonsectarian, nonreligious
26 13 textbooks for pupils attending accredited nonpublic schools.
26 14 The amount shall be in the proportion that the basic
26 15 enrollment of a participating accredited nonpublic school
26 16 bears to the sum of the basic enrollments of all participating
26 17 accredited nonpublic schools in the state for the budget year.
26 18 For purposes of this section, a "participating accredited
26 19 nonpublic school" means an accredited nonpublic school that
26 20 submits a written request on behalf of the school's pupils in
26 21 accordance with this subsection, and that certifies its actual
26 22 enrollment to the department of education by October 1,
26 23 annually. By ~~October 15~~ November 1, annually, the department
26 24 of education shall certify to the director of the department
26 25 of administrative services the annual amount to be paid to
26 26 each school district, and the director of the department of
26 27 administrative services shall draw warrants payable to school
26 28 districts in accordance with this subsection. For purposes of
26 29 this subsection, an accredited nonpublic school's enrollment
26 30 count shall include only students who are residents of Iowa.
26 31 The costs of providing textbooks to accredited nonpublic
26 32 school pupils as provided in this subsection shall not be
26 33 included in the computation of district cost under chapter
26 34 257, but shall be shown in the budget as an expense from
26 35 miscellaneous income. Textbook expenditures made in
27 1 accordance with this subsection shall be kept on file in the
27 2 school district. In the event that a participating accredited
27 3 nonpublic school physically relocates to another school
27 4 district, textbooks purchased for the nonpublic school with
27 5 funds appropriated for purposes of this chapter shall be
27 6 transferred to the school district in which the nonpublic
27 7 school has relocated and may be made available to the
27 8 nonpublic school. Funds distributed to a school district for
27 9 purposes of purchasing textbooks in accordance with this
27 10 subsection which remain unexpended and available for the
27 11 purchase of textbooks for the nonpublic school that relocated
27 12 in the fiscal year in which the funds were distributed shall
27 13 also be transferred to the school district in which the
27 14 nonpublic school has relocated.

27 15 Sec. 50. Section 321.375, subsection 2, unnumbered
27 16 paragraph 1, Code 2005, is amended to read as follows:

27 17 Any of the following shall constitute grounds for ~~a school~~
~~27 18 bus driver's~~ the immediate suspension from duties of a school
~~27 19 bus driver, including a part-time or substitute bus driver,~~
27 20 pending a termination hearing by the board of directors of a
27 21 public school district or the authorities in charge in a
27 22 nonpublic school ~~if the bus driver is under contract, pending~~
~~27 23 confirmation of the grounds by the school district or~~
~~27 24 accredited nonpublic school if the bus driver is a part-time~~
~~27 25 or substitute bus driver who is not under contract,~~ or pending
27 26 confirmation of the grounds by the employer of the school bus
27 27 driver if the employer is not a school district or accredited
27 28 nonpublic school ~~by the board:~~

27 29 Sec. 51. Section 321.376, subsection 1, Code 2005, is
27 30 amended to read as follows:

27 31 1. The driver of a school bus shall hold a driver's
27 32 license issued by the department of transportation valid for
27 33 the operation of the school bus and a certificate of
27 34 qualification for operation of a commercial motor vehicle
27 35 issued by a physician licensed pursuant to chapter 148 or
28 1 150A, physician's assistant, advanced registered nurse
28 2 practitioner, or chiropractor or any other person identified
28 3 by federal and state law as authorized to perform physical
28 4 examinations, and shall successfully complete an approved
28 5 course of instruction in accordance with subsection 2. A
28 6 person holding a temporary restricted license issued under
28 7 chapter 321J shall be prohibited from operating a school bus.
28 8 The department of education shall ~~revoke or~~ refuse to issue an
28 9 authorization to operate a school bus to any person who, after
28 10 notice and opportunity for hearing, is determined to have
28 11 committed any of the acts proscribed under section 321.375,
28 12 subsection 2. The department of education shall take adverse
28 13 action against any person who, after notice and opportunity
28 14 for hearing, is determined to have committed any of the acts
28 15 proscribed under section 321.375, subsection 2. Such action
28 16 may include a reprimand or warning of the person or the
28 17 suspension or revocation of the person's authorization to
28 18 operate a school bus. The department of education shall
28 19 recommend, and the state board of education shall adopt under

28 20 chapter 17A, rules and procedures for issuing and suspending
28 21 or revoking authorization to operate a school bus in this
28 22 state. Rules and procedures adopted shall include, but are
28 23 not limited to, provisions for the revocation or suspension
28 24 of, or refusal to issue, authorization to persons who are
28 25 determined to have committed any of the acts proscribed under
28 26 section 321.375, subsection 2.

28 27 Sec. 52. Section 423E.1, subsection 3, Code 2005, is
28 28 amended to read as follows:

28 29 3. Local sales and services tax moneys received by a
28 30 county for school infrastructure purposes pursuant to this
28 31 chapter shall be utilized for school infrastructure needs or
28 32 property tax relief. For purposes of this chapter, "school
28 33 infrastructure" means those activities for which a school
28 34 district is authorized to contract indebtedness and issue
28 35 general obligation bonds under section 296.1, except those
29 1 activities related to a teacher's or superintendent's home or
29 2 homes. These activities include the construction,
29 3 reconstruction, repair, demolition work, purchasing, or
29 4 remodeling of schoolhouses, stadiums, gyms, fieldhouses, and
29 5 bus garages and the procurement of schoolhouse construction
29 6 sites and the making of site improvements and those activities
29 7 for which revenues under section 298.3 or 300.2 may be spent.
29 8 A school district that uses local sales and services tax
29 9 moneys for school infrastructure shall comply with the state
29 10 building code in the absence of a local building code.

29 11 Additionally, "school infrastructure" includes the payment or
29 12 retirement of outstanding bonds previously issued for school
29 13 infrastructure purposes as defined in this subsection, and the
29 14 payment or retirement of bonds issued under section 423E.5.

29 15 Sec. 53. Section 423E.3, subsection 5, paragraph d,
29 16 subparagraph (2), Code Supplement 2005, is amended to read as
29 17 follows:

29 18 (2) The combined actual enrollment for a county, for
29 19 purposes of this section, shall be determined for each county
29 20 by the department of management based on the actual enrollment
29 21 figures reported by October ~~±~~ 15 to the department of
29 22 management by the department of education pursuant to section
29 23 257.6, subsection 1. The combined actual enrollment count
29 24 shall be forwarded to the director of revenue by March 1,
29 25 annually, for purposes of supplying estimated tax payment
29 26 figures and making estimated tax payments pursuant to this
29 27 section for the following fiscal year.

29 28 Sec. 54. 2005 Iowa Acts, chapter 179, section 82, is
29 29 amended to read as follows:

29 30 SEC. 82. 2005 Iowa Acts, House File 739, if enacted, is
29 31 amended by adding the following new section:

29 32 NEW SECTION. Sec. ____ EFFECTIVE DATE. The section of
29 33 this Act amending section 262.9 to establish a research
29 34 triangle and clearinghouse takes effect July 1, ~~2006~~ 2007.

29 35 Sec. 55. Chapters 288 and 289, Code 2005, are repealed.

30 1 Sec. 56. Sections 260C.45, 282.1A, and 297.13, Code 2005,
30 2 are repealed.

30 3 Sec. 57. EFFECTIVE DATE. The section of this Act amending
30 4 2005 Iowa Acts, chapter 179, section 82, being deemed of
30 5 immediate importance, takes effect upon enactment.

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JEFFREY M. LAMBERTI
President of the Senate

CHRISTOPHER C. RANTS
Speaker of the House

I hereby certify that this bill originated in the Senate and
is known as Senate File 2272, Eighty-first General Assembly.

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MICHAEL E. MARSHALL
Secretary of the Senate

Approved _____, 2006

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THOMAS J. VILSACK
Governor